

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

**JAMILL DENSON,
RICHARD EMANUEL COLEMAN,
QUINCY VANCO LEONARD,
BRYAN PATRICK LUCAS,
JASON LAMAR STEVERSON,
ALFRED TERRELL THOMAS, IV, and
ROGER LARON UNDERWOOD**

2:08-cr-0365

ORDER OF COURT

Counsel for Defendant Bryan Patrick Lucas has filed a Sealed Motion (Document No. 1496), which seeks appointment of a psychiatrist to perform an examination and evaluation of his client's competency to stand trial. The government does not oppose such appointment. On November 1, 2010, the Court entered an order which granted the motion in part and appointed a mental health professional.

In light of this expedited competency evaluation, the Court finds that an additional three-week continuance of the scheduled trial is necessary. Further, the Court finds that any period of "delay resulting from any proceeding, including any examinations, to determine the mental competency" of a defendant constitutes a period of delay that shall be excluded under the Speedy Trial Act in computing the time within which the trial of this case must commence. 18 U.S.C. § 3161(h)(1)(A).

At a pretrial conference held on October 14, 2010, the Court informed the parties and their counsel that the trial in this case would begin on November 1, 2010. On October 21, 2010, the Court granted the government's motion for a two-week continuance of the trial date until

November 15, 2010, in order that the government could secure the attendance at trial of its incarcerated witnesses, which it must secure via writ by the United States Marshals Service. The deadlines contained within the Trial Scheduling Order filed October 21, 2010 (Document No. 1450) remain in full force and effect with respect to Paragraphs 1 (voir dire), 2 (summary of the indictment), 3 (jury charge), and 4 (motions in limine / evidentiary issues).

However, the following deadlines are revised as follows:

Jury selection and trial is scheduled to begin on Monday, December 6, 2010 at 9:30

a.m. in Courtroom 6C, United States Courthouse, 700 Grant Street, Pittsburgh, PA 15219.

Evidence Pursuant to Federal Rules of Evidence of 404(b) and 609: On or before **November 22, 2010**, counsel for the government shall notify defendants and the Court of any and all material it intends to introduce into evidence pursuant to Rule 404(b) and 609 of the Federal Rules of Evidence.

Disclosure of Jencks Act materials and expert disclosures: Counsel for the government shall disclose all Jencks Act materials, including impeachment material, and make all expert witness disclosures on or before **November 22, 2010**.

Witness and Exhibit Lists: On or before **November 29, 2010**, the parties shall submit to the Court in camera a witness list which sets forth the anticipated order of the calling of each witness. The parties will provide the Court with a copy of an exhibit list on or before **November 29, 2010**. **The government shall use numbers and the defendants shall use letters.**

So **ORDERED** this 2nd day of November, 2010.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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